



April 1, 2005

ENGROSSED SENATE BILL No. 125

DIGEST OF SB 125 (Updated March 31, 2005 10:29 am - DI 97)

Citations Affected: IC 27-7.

Synopsis: Commercial liability insurance. Specifies that the law requiring an insurer to make available uninsured motorist and underinsured motorist coverage does not apply to the issuance of certain liability insurance policies.

Effective: July 1, 2005.

Ford

(HOUSE SPONSOR — RIPLEY)

January 4, 2005, read first time and referred to Committee on Insurance and Financial Institutions.

February 3, 2005, reported favorably — Do Pass.

February 7, 2005, read second time, ordered engrossed.

February 8, 2005, engrossed. Read third time, passed. Yeas 49, nays 1.

HOUSE ACTION

March 7, 2005, read first time and referred to Committee on Insurance.

March 31, 2005, amended, reported — Do Pass.

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ES 125—LS 6737/DI 97+



April 1, 2005

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 125

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 27-7-5-1.5 IS ADDED TO THE INDIANA CODE
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2005]: **Sec. 1.5. (a) As used in this section, "commercial vehicle**
4 **policy" means an insurance policy that provides coverage for at**
5 **least one (1) of the following:**

6 (1) **A motor vehicle that is rated or insured as a business or**
7 **commercial vehicle.**

8 (2) **A motor vehicle that is licensed by the state as a**
9 **commercial vehicle.**

10 (3) **A commercial motor vehicle business, including an:**

11 (A) **individual who; or**

12 (B) **entity that;**

13 **is in the business or occupation of selling, repairing, servicing,**
14 **storing, or parking motor vehicles, including a business that**
15 **is a commercial garage operation, an automobile sales entity,**
16 **a motor vehicle repair entity, a motor vehicle service station,**
17 **or a public parking operation.**

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(4) A motor vehicle that is used as a public or private livery or a rental conveyance.

(5) A motor vehicle that is owned or used by a named insured that is not a natural person.

(b) This chapter does not require an insurer to make available uninsured motorist or underinsured motorist coverage described in section 2 of this chapter in connection with the issuance of a:

(1) commercial liability policy, including a commercial vehicle policy;

(2) commercial umbrella or excess liability policy;

(3) commercial liability policy that provides hired or nonowned motor vehicle liability coverage; or

(4) commercial liability policy that provides limited or incidental coverage for liability arising out of the ownership, maintenance, operation, or use of a motor vehicle, including a motor vehicle that is:

(A) not subject to motor vehicle registration; and

(B) not intended or designed to be used on a public roadway.

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COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and Financial Institutions, to which was referred Senate Bill No. 125, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 125 as introduced.)

PAUL, Chairperson

Committee Vote: Yeas 10, Nays 1.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Insurance, to which was referred Senate Bill 125, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, delete lines 20 through 42.

Delete pages 3 through 4.

and when so amended that said bill do pass.

(Reference is to SB 125 as printed February 4, 2005.)

RIPLEY, Chair

Committee Vote: yeas 7, nays 2.

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